

# **NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)

02307K-154610US

I hereby certify that this correspondence is being filed via  
EFS-Web with the United States Patent and Trademark Office  
on July 31, 2009

Signature

Typed or printed

name Kimberly HeldtIn re Application of CHENG et al.Application Number 10/512,124Filed August 26,  
2005

For **METHODS FOR STIMULATING TLR/IRF3  
PATHWAYS FOR INDUCING ANTI-MICROBIAL,  
ANTI-INFLAMMATORY AND ANTICANCER  
RESPONSES**

Art Unit 1647Examiner Ian D. Dang

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 540

☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced  
by half, and the resulting fee is:

\$ 270

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment  
to Deposit Account No. 20-1430.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

**WARNING: Information on this form may become public. Credit card information should not  
be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.  
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96)

☒ attorney or agent of record.

Registration number 46,946

☐ attorney or agent acting under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34. \_\_\_\_\_

Signature

Frank J. Mycroft

Typed or printed name

(925) 472-5000

Telephone number

July 31, 2009

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.  
Submit multiple forms if more than one signature is required, see below\*.

☒ \*Total of 1 forms are submitted.